

## EXHIBIT 15

1  
2  
3  
4                          IN THE CIRCUIT COURT OF THE STATE OF OREGON  
5                          FOR THE COUNTY OF JACKSON  
6     In the Matter of:  
7     HEIDI MARIE BROWN,  
8                          Petitioner,  
9                          and  
10    ARNAUD PARIS,  
11                          Respondent.  
12

Case No. 22DR17285

**DECLARATION OF TERRENCE  
RICOUX ABOUT REGISTRATION  
(EXEQUATUR) OF A US JUDGMENT  
IN FRANCE**

13 1. My name is Terence RICHOUX. I am a licensed and practicing attorney at law in  
14 Paris, France specialized in international private international law, especially the  
15 enforcement of foreign family judgments in France. I represented Mr. Arnaud Paris in a  
16 court case before the family judge of the Paris Court. That case was against Ms. Heidi  
17 Brown. The claims adjudicated by the French court concerned the care, custody, and  
18 control of the minor children of the parties, rights of visitation as well as support as  
19 appropriate between the parties for their minor children. The court granted full custody of  
20 the children to Mr. Arnaud PARIS on April 21, 2023.

21 2. The recognition and enforcement of a foreign judgment in France goes through a  
22 specific process called *Exequatur*.

23    3.    Exequatur refers to both the procedure and the writ of execution, which are used  
24    when a foreign Judgment needs to be enforced in France. This terminology is mostly used  
25    in Latin countries such as France, Spain, Italy and Portugal.

26 //

1 4. All foreign Judgments, court decisions or arbitral awards are not automatically  
2 enforceable in France. It is an essential issue for many foreigners who want to assert their  
3 rights in in the country since, without an official recognition, the Judgment they obtained  
4 will have no effect.

5 5. The exequatur proceeding is governed by French law and international treaties.  
6 Although a new treaty has been signed by France and the US, at the time of this affidavit  
7 it has not been ratified in the US.

8 6. Foreign judgments regarding custody rights can be automatically recognized and  
9 enforced in France in some cases. However, it is not the case when France already ruled  
10 on the same subject matter. Therefore, for a US custodial decision to be valid in France  
11 **it has to go through the French process of exequatur.**

12 7. Article 509 of the French Code of civil procedure provides that: *Judgements  
13 rendered by foreign Courts and deeds received by foreign officers shall be enforceable  
14 on the territory of the French Republic in the manner and under the circumstances  
15 specified by law.*

16 8. This article is interpreted and completed by the decisions of the Cour de cassation  
17 (the French Supreme Court). In the 2007 *Cornelissen* case (*Cornelissen Cass.Civ*  
18 February 20<sup>th</sup>, 2007 n°05-14082), the Cour de cassation ruled that French courts must  
19 verify that the foreign Judgment meets **3 conditions**. The French judge will verify that:

- 20 A) The foreign Court has proper jurisdiction under French law,
- 21 B) The foreign Judgment complies with French procedural and substantive  
22 public policies,
- 23 C) The foreign Judgment was rendered without fraudulent forum shopping  
24 (evasion of the law)

25 9. These 3 conditions apply cumulatively which means that the foreign Judgment's  
26 recognition will be denied if one of them is not met. The conditions set forth in the 2007

1   Cornelissen case apply in the absence of international treaties which is the case for the  
2   US.

3   10.   There is no automatic way to register a foreign custodial determination in France  
4   like it is the case in the US with the UCCJEA statutes, in which someone can simply  
5   register that judgment and if the other party doesn't object to that registration, it becomes  
6   automatically accepted and enforceable, in full force and effect as if it was a custodial  
7   determination of that state.

8   11.   Firstly, as in all matters, it is the judge's duty to verify the international regularity of  
9   decisions rendered in matters of civil status. (Civ. 1st, January 29, 2014, No. 12-28.953),  
10   this verification bearing on the same conditions as for exequatur (Civ. 1st, January 7,  
11   1964, Munzer, JCP G 1967, II, 13590, Civ. 1st, February 20, 2007, No. 05-14.082,  
12   Cornelissen).

13   12.   This verification must take place automatically, even in the absence of contestation  
14   by the parties, as the Court of Cassation explicitly stated, declaring that the French judge  
15   "must, ex officio, verify whether the foreign decision meets the conditions required to be  
16   declared enforceable in France and note the result of his examination in his decision"  
17   (Civ. 1st, November 9, 1971: JCP G 1971, IV, p.292).

18   **13.**   The process of exequatur in France has to be approved by a French judge, and  
19   for the US, it even involves the participation of the French District Attorney.

20   **14. As a result, in all cases, the parties can't agree to have a judgement  
21 registered in France on their own without the validation of a French Judge.**

22   15.   Which means that for a US custodial decision to be valid in France, a French judge,  
23   after receiving the analysis of the DA, will have to ensure that **all of the three conditions  
24   stated above are met for a contradictory US judgment to be recognized and  
25   enforced in France.**

26   **//**

1 16. And this is true even if both parties seek to register and enforce a US  
2 judgment in France.

3 17. Miss Brown's judgment requires that for Mr. Paris, to be allowed to see his children  
4 in Oregon, he will have to register in France that Oregon judgment from December 28<sup>th</sup>,  
5 2023.

6 18. The fact that a French Court already ruled that it has proper jurisdiction in this  
7 particular custodial case means that the first condition of the Cornelissen case is not met.

8 19. Furthermore, the fact that Mr. PARIS was not allowed to defend himself, either  
9 personally or through his lawyer, constitutes a violation of the adversarial principle and  
10 the rights of defense, and therefore a violation of French international public order.

11 20. Therefore, the second condition of the Cornelissen case is not met.

12 21. It is my opinion that even if the parties were to not argue for or against the  
13 recognition and enforcement of the Oregon judgment, French courts would consider, on  
14 their own, that at least two out three conditions set forth by the Cornelissen case are not  
15 met.

16 22. It is highly unlikely that a French Court would validate a US judgment obtained  
17 under these conditions, even if Mr. Paris were to agree to the registration as it is out of  
18 the parties' control.

19 23. I hereby declare that the above statement is true to the best of my knowledge and  
20 belief, and that I understand it is made for use as evidence in court and is subject to  
21 penalty for perjury.

22 Dated: May 27th, 2024

23  
24  
25  
26



By: Terence RICHOUX